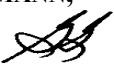




CITY COUNCIL

AGENDA REQUEST

AGENDA OF:	11-19-13	AGENDA REQUEST NO:	III-G
INITIATED BY:	LINDA DRAPP, ADMINISTRATIVE SPECIALIST	RESPONSIBLE DEPARTMENT:	CITY SECRETARY
PRESENTED BY:	GLENDA GUNDERMANN, CITY SECRETARY	DIRECTOR:	GLENDA GUNDERMANN, CITY SECRETARY 
		ADDITIONAL DIRECTOR (S):	N/A
SUBJECT / PROCEEDING:	MINUTES CITY COUNCIL MEETING NOVEMBER 05, 2013 APPROVE MINUTES		
EXHIBITS:	MINUTES NOVEMBER 05, 2013		
CLEARANCES		APPROVAL	
LEGAL:	N/A	ASSISTANT CITY MANAGER:	N/A
PURCHASING:	N/A	ASSISTANT CITY MANAGER:	N/A
BUDGET:	N/A	CITY MANAGER:	ALLEN BOGARD
BUDGET			
EXPENDITURE REQUIRED: \$		N/A	
CURRENT BUDGET: \$		N/A	
ADDITIONAL FUNDING: \$		N/A	
RECOMMENDED ACTION			
Approve the minutes of the November 05, 2013 City Council meeting.			

EXHIBITS

STATE OF TEXAS §
COUNTY OF FORT BEND §
CITY OF SUGAR LAND §

**CITY OF SUGAR LAND
CITY COUNCIL REGULAR MEETING
TUESDAY, NOVEMBER 05, 2013**

REGULAR MEETING

The City Council of the City of Sugar Land convened in a regular meeting open to the public and pursuant to notice thereof duly given in accordance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated, as amended, in Sugar Land City Hall within said City on Tuesday, November 05, 2013 at 4:00 o'clock P.M. and the roll was called of the members; to wit:

James A. Thompson, Mayor
Himesh Gandhi, Council Member at Large, Position One
Joe R. Zimmerman, Council Member at Large, Position Two
Steve R. Porter, Council Member District One
Bridget R. Yeung, Council Member District Two
Amy L. Mitchell, Council Member District Three
Harish Jajoo, Council Member District Four

QUORUM PRESENT

All of said members were present.

Also present were:
Allen Bogard, City Manager
Glenda Gundermann, City Secretary
Mary Ann Powell, City Attorney, and
A Number of Visitors

CONVENE MEETING

Mayor James Thompson convened the session, open to the public, to order at 4:00 o'clock P.M.

RECESS REGULAR MEETING

Mayor Thompson recessed the Regular Meeting to go into Closed Executive Session, time 4:01 o'clock P.M.

CLOSED EXECUTIVE SESSION

Mayor Thompson introduced **Closed Executive Session** as authorized by Chapter 551, Texas Government Code, in accordance with:

Economic Development: Section 551.087

a) For the purpose of discussing the offer of financial or other incentives to business prospects that the City seeks to have locate, stay, or expand in the City and with which the City is conducting economic development negotiations. *Ms. Regina Morales, Director of Economic Development.*

Consultation with Attorney: Section 551.071

b) For the purpose of receiving legal advice relating to local government involvement in bond elections. *Ms. Mary Ann Powell, City Attorney.*

Personnel Matters: Section 551.074

c) For the purpose of discussion with respect to City Manager annual performance evaluation. *Mayor James A. Thompson.*

ADJOURN CLOSED EXECUTIVE SESSION

Mayor Thompson adjourned the Closed Executive Session, time 5:30 o'clock P.M.

RECONVENE MEETING

Mayor Thompson reconvened the Regular Meeting, time 5:31 o'clock P.M.

INVOCATION

Council Member Porter delivered the invocation.

PLEDGE OF ALLEGIANCE

Council Member Porter led the pledge of allegiance to the Flag of the United States of America.

RECOGNITIONS

AMERICA RECYCLES DAY – NOVEMBER 15, 2013 STATE OF TEXAS ALLIANCE FOR RECYCLING (STAR) AWARD

Mayor Thompson stated last year, the City of Sugar Land enhanced the residential recycling program. The City diversion rate, which is the percentage of materials collected kept out of landfills, has climbed steadily in the past few years. Through 2013, the rate is nearly 35%. America Recycles Day in the United States was started in 1997; and through the local partnership with Keep Sugar Land Beautiful, November 15 has been declared America Recycles Day in Sugar Land.

Ms. Vicki Gist, Keep Sugar Land Beautiful, stated America Recycles Day started in 1997, but it actually started in 1994 in Texas as Texas Recycles Day; and after the success in Texas, America Recycles Day was started up. This day is set aside to encourage the public to recycle and buy products that are made from recycled material. Ms. Gist will be at Whole Foods Market on November 15 from 11:00 a.m. to 1:00 p.m. answering any recycling questions.

Mr. Gabe Reaume, Environmental Manager, stated the City of Sugar Land received the Outstanding Environmental Public Education and Outreach Program Award from the State of Texas Alliance for Recycling (STAR) on October 14. The City diversion rate approximately two years ago was 11% and currently is nearly 35%. Mr. Reaume stated the award is made entirely of recyclable materials. The organization recognized the City recycling initiatives and public outreach efforts.

Mayor Thompson presented Keep Sugar Land Beautiful with a proclamation and encouraged all individuals and businesses to celebrate America Recycles Day by promoting recycling as an environmentally efficient and economically smart habit and take the “I recycle” pledge.

Mayor Thompson recognized October 3, 1983 as a very special day in the City of Sugar Land; **Ms. Glenda Gundermann, City Secretary**, came to work for the City on that day and is celebrating her 30 years, having served (5) Mayors, (36) City Council Members, and the City with professionalism and integrity.

PUBLIC COMMENT

Mayor Thompson introduced Public Comment and entertained registered speakers. There were no public comments.

REVIEW OF CONSENT AGENDA

Mayor Thompson introduced Review of the Consent Agenda and entertained questions and/or comments.

CONSENT AGENDA

Mayor Thompson introduced IV.A) **SECOND CONSIDERATION: CITY OF SUGAR LAND ORDINANCE NO. 1934**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, GRANTING A CONDITIONAL USE PERMIT FOR A TEXTILE DESIGN BUSINESS LOCATED AT THE SOUTHWEST INTERSECTION OF HIGHWAY 90A AND BROOKS STREET (8034 HIGHWAY 90A); IV.B) **SECOND CONSIDERATION: CITY OF SUGAR LAND ORDINANCE NO. 1935**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, PROVIDING FOR A CHANGE OF ZONING FROM PLANNED DEVELOPMENT DISTRICT (PD) GENERAL DEVELOPMENT PLAN TO PLANNED DEVELOPMENT DISTRICT (PD) FINAL DEVELOPMENT PLAN (IMPERIAL GRACEPOINT TOWNHOMES) FOR APPROXIMATELY 5.273 ACRES OF LAND LOCATED AT THE NORTHEAST CORNER OF STADIUM DRIVE AND IMPERIAL BOULEVARD IN THE IMPERIAL DEVELOPMENT; IV.C) Authorizing one-year renewal of SunGard, Public Sector, Incorporated, H.T.E. Software Maintenance Agreement in the amount of \$114,473.01 for software maintenance and enhancements for period November 01, 2013 through October 31, 2014; IV.D) Bid evaluation and authorizing execution of a Contract in the amount of \$240,000.00 with Uretek, USA, Incorporated, for foam slab lifting services through the Interlocal Agreement with Fort Bend County for period October 01, 2013 through September 30, 2014, CIP ST1402; IV.E) Authorizing execution of a Design Contract in the amount of \$70,538.00 with Dannenbaum Engineering Corporation for replacement of 24-inch Sanitary Sewer Force Main, CIP WW1303; IV.F) Authorizing high technology replacement Purchase of radar units in the amount of \$97,800.00 through Houston-Galveston Area Council for police patrol vehicles and traffic motorcycles; IV.G) Approval of the minutes of the regular meeting of October 15, 2013.

Following a full and complete discussion, *Council Member Mitchell*, seconded by *Council Member Zimmerman*, made a motion to approve the Consent Agenda. The motion carried unanimously.

CONTRACTS AND AGREEMENTS

UNITED STATES DEPARTMENT OF JUSTICE 2013 BULLETPROOF VEST PARTNERSHIP GRANT
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Mayor Thompson introduced consideration on acceptance of United States Department of Justice 2013 Bulletproof Vest Partnership Grant in the amount of \$7,458.00; and authorizing a budget amendment in the amount of \$7,458.00 to revenues and expenditures.

Mr. Stuart Denton, Captain, presented a brief overview of how the vests are utilized and stated upon initial hiring, each officer is issued a ballistic vest which is required to be worn any time when performing field duty or enforcement activity outside of the building, such as patrol, impact team activities, and special assignments. The life span on each vest is five years per the manufacturer. The Police Department has a replacement program in place, and at this time, 25 vests are to be replaced for a cost of \$800 per vest. For many years, the Bureau of Justice has had a grant program in which the costs can be offset by 50%, and Police Department has participated since the beginning of the program.

CONTRACTS AND AGREEMENTS (CONTINUED)

**UNITED STATES DEPARTMENT OF JUSTICE
2013 BULLETPROOF VEST PARTNERSHIP GRANT (CONTINUED)**

When the application process opened in May, the Department applied for half of the costs for this year, which was \$10,050, and was notified in October that the City had been awarded only \$7,458. Staff believes that the amount was less because the State had more grant applications than budget. There is adequate funding in the budget to compensate for the grant shortfall.

Following a full and complete discussion, **Council Member Jajoo**, seconded by **Council Member Mitchell**, made a motion to approve United States Department of Justice 2013 Bulletproof Vest Partnership Grant in the amount of \$7,458.00; and authorizing a budget amendment in the amount of \$7,458.00 to revenues and expenditures. The motion carried unanimously.

WHOLESALE WATER SUPPLY LEASE CONTRACT FOR RAW SURFACE WATER

Mayor Thompson introduced consideration on authorizing execution of Wholesale Water Supply Lease Contract by and between the City of Sugar Land and Fort Bend County Water Control Improvement District No. Two in the amount of \$444,041.85 for raw surface water.

Mr. Ricardo Ramirez, Water Resources Manager, presented background information stating that the Fort Bend Subsidence District is tasked with mitigating subsidence within Fort Bend County, and there are two conversion requirements that must be met: 30% conversion by 2014 and 60% conversion by 2025. The 9 MGD Surface Water Treatment Plant (SWTP) that is currently being built will meet the 30% requirement, and in November 2013, the SWTP will begin distribution. Testing transmission lines for the SWTP began the week of November 4. Staff provided an aerial photograph of the SWTP facility.

Raw Water Supplies
Sources & Rates

<u>Supply Source</u>	<u>Volume</u>	<u>Rate</u>
Oyster Creek Water Right	16.3MGD*	\$0
GCWA Option Contract	20 MGD	Option: \$26.59 per MG Take: \$175.00 per MG
BRA Reservoir Water	5.7 MGD	\$201.47 per MG
*limited to 4.89 MGD during drought		

Fort Bend County Water Control & Improvements District No. 2 (WCID 2) SWTP

- Pay for 10.5 MGD at \$187.16 per MGD
- Currently need 4 MGD
- City wishes to lease remaining 6.5 MGD

CONTRACTS AND AGREEMENTS (CONTINUED)

**WHOLESALE WATER SUPPLY LEASE CONTRACT FOR RAW SURFACE WATER
(CONTINUED)**

Contract Benefits (Win/Win):

- Allows the City to postpone paying a full “take” rate for 20 MGD
- WCID 2 recovers cost for unused capacity

Terms of Agreement:

- Lease up to 6.5 MD from WCID 2
- Pass through rate (currently \$187.1620 per MG)
- 30 year term with annual reviews
- Termination by either party with 30 day notice

Cost Avoidance:

Full Take

GCWA Full Take Rate	20 MGD	\$ 175.00 per MG	\$1,277,500.00
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WCID 2 Lease + Option

GCWA Option Rate	20 MGD	\$ 26.59 per MG	\$ 194,107.00
WCID 2 Lease Rate	<u>6.5 MGD</u>	<u>\$ 187.16 per MG</u>	<u>\$ 444,041.85</u>
Total COSL Option Rate	+ WCID #2 Lease Rate		\$ 638,148.85

Raw Water Summary:

<u>Raw Water Source</u>	<u>MGD</u>
Oyster Creek Water Right	4.89
WCID #2	<u>6.50</u>
TOTAL	11.39

The Surface Water Treatment Plant is currently rated at 9.2 MGD. There will be plenty of water to run the SWTP.

City Council discussion ensued regarding:

- Any restrictions on contract during drought condition; Staff stated any restrictions that Gulf Coast Water Authority would place on WCID #2, but the City does have backup water from the Brazos River.
- Is it a safe assumption that City will be able to get up to 4.89 MGD in drought conditions; Staff stated this is very stable, as the 4.89 MGD came from a TCEQ study regarding return waste water flows in Oyster Creek.
- Clarification that the SWTP will be rated 11 MGD at plant startup; Staff stated affirmative, but would have to do the re-permitting in mid-2014, so currently it is rated at 9.2 but will go through the process of re-rating the plant to approximately 11 MGD.

CONTRACTS AND AGREEMENTS (CONTINUED)

**WHOLESALE WATER SUPPLY LEASE CONTRACT FOR RAW SURFACE WATER
(CONTINUED)**

Following a full and complete discussion, *Council Member Porter*, seconded by *Council Member Zimmerman*, made a motion to approve Wholesale Water Supply Lease Contract by and between the City of Sugar Land and Fort Bend County Water Control Improvement District No. Two, in the amount of \$444,041.85, for raw surface water. The motion carried unanimously.

ORDINANCES AND RESOLUTIONS

**ORDINANCE NO. 1937 – WATERWORKS AND SEWER SYSTEM
REVENUE BONDS, SERIES 2013**

Mayor Thompson introduced **FIRST CONSIDERATION: CITY OF SUGAR LAND ORDINANCE NO. 1937**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, AUTHORIZING THE ISSUANCE OF CITY OF SUGAR LAND, TEXAS, WATERWORKS AND SEWER SYSTEM REVENUE BONDS, SERIES 2013.

Ms. Jennifer Brown, Director of Budget and Research, stated the bonds will fund the capital projects that City Council approved in Fiscal Year 2014 Capital Improvement Program for the Water Utility Program, including 50% of the Public Works and Utilities Service Center that is included in the CIP. The bonds are paid from the Water Utility System revenues and carry a separate bond rating from the City tax-backed debt.

Staff had ratings calls with Standard & Poor's and Fitch Ratings on October 22, and both agencies affirmed the rating of AA+ for the bonds.

Seven bids on the bonds were received. The top or low-cost bid was from Robert W. Baird & Co. with a true interest cost of 3.565%. The top 4 bids had a spread of 2.6 basis points. The high bid was 3.72%.

The Debt Service Schedule that will be associated with the bonds does show a savings compared to what was planned; as the City moves forward in the long-range financial planning, City will be able to incorporate the savings of about \$25,000 in Fiscal Year 2014.

Ordinance No. 1937 authorizes the issuance of \$15,765,000 in City of Sugar Land Waterworks and Sewer System Revenue Bonds, Series 2013. Scheduled delivery of funds is December 3, 2013.

Mayor Thompson asked for clarification between the ratings on a tax-backed bond versus a revenue bond; Staff stated this rating is one step below the AAA rating that is on the tax-backed debt, and the AAA is the highest rating that can be received.

Mr. Joe Morrow, First Southwest, stated a tax-backed bond that would be similarly rated AA+ would probably sell 7-10 basis points through what City has with a revenue pledge. The water and sewer revenue pledge is a strong pledge as it is an essential utility service.

ORDINANCES AND RESOLUTIONS

**ORDINANCE NO. 1937 – WATERWORKS AND SEWER SYSTEM
REVENUE BONDS, SERIES 2013**

Following a full and complete discussion, *Council Member Jajoo*, seconded by *Council Member Mitchell*, made a motion to pass to second reading **CITY OF SUGAR LAND ORDINANCE NO. 1937**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, AUTHORIZING THE ISSUANCE OF CITY OF SUGAR LAND, TEXAS, WATERWORKS AND SEWER SYSTEM REVENUE BONDS, SERIES 2013. The motion carried unanimously.

**RESOLUTION NO. 13-44 – HOUSTON-GALVESTON AREA COUNCIL
REGIONAL DWI TASK FORCE GRANT**

Mayor Thompson introduced consideration on **CITY OF SUGAR LAND RESOLUTION NO. 13-44**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, APPROVING THE CITY'S PARTICIPATION IN THE HOUSTON-GALVESTON AREA COUNCIL REGIONAL DWI TASK FORCE GRANT.

Mr. Chris Thompson, Patrol Lieutenant, stated the regional grant is through the Houston-Galveston Area Council (HGAC), which worked with the Department of Transportation to secure funding that assists the Police Department with DWI (Driving While Intoxicated) Task Force; a DWI could include alcohol or drugs. The offer is for \$12,241; the City will match at \$4,039.18 which will come through the fuel used and mileage calculated on vehicles while conducting the Task Force. No costs will be incurred in addition to the \$4,039.18 already budgeted. The total grant funding is \$16,280.18. The regional grant period is for one (1) year beginning September 01, 2013 and ending September 01, 2014.

The goal is to protect the citizens of the City and anyone passing through the City by reducing the number of alcohol related crashes, injuries, and fatalities. The strategy is to increase high visibility enforcement. Dedicated units will be working solely on alcohol related driving offenses. The allocation will be a minimum of (2) officers working 2 nights during the enforcement period. At a set time, two officers with P.D. equipment will focus solely on Driving While Intoxicated individuals. This will be in addition to the police service currently provided to the citizens. The enforcement dates include: Thanksgiving, Christmas/New Year's, Spring Break, Memorial Day, July 4th, and Labor Day.

Recommended action by Staff included: Accept the intergovernmental Agreement between the City of Sugar Land and HGAC; Approve resolution appointing Chief Douglas Brinkley as Grant Official; and Authorize budget adjustment in the amount of \$12,241.00.

Following a full and complete discussion, *Council Member Mitchell*, seconded by *Council Member Gandhi*, made a motion to approve **CITY OF SUGAR LAND RESOLUTION NO. 13-44**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, APPROVING THE CITY'S PARTICIPATION IN THE HOUSTON-GALVESTON AREA COUNCIL REGIONAL DWI TASK FORCE GRANT. The motion carried unanimously.

**INTERGOVERNMENTAL AGREEMENT FOR
PARTICIPATION IN REGIONAL DWI TASK FORCE**

Mayor Thompson introduced consideration on authorizing execution of an Intergovernmental Agreement by and between the City of Sugar Land and the Houston-Galveston Area Council for participation in Regional DWI Task Force; and authorizing a budget amendment in the amount of \$12,241.00 to revenues and expenditures.

Mr. Chris Thompson, Patrol Lieutenant, stated there were no further comments.

Following a full and complete discussion, *Council Member Mitchell*, seconded by *Council Member Gandhi*, made a motion to approve an Intergovernmental Agreement by and between the City of Sugar Land and the Houston-Galveston Area Council for participation in Regional DWI Task Force; and authorizing a budget amendment in the amount of \$12,241.00 to revenues and expenditures. The motion carried unanimously.

RESOLUTION NO. 13-45 – APPOINTING A CHARTER COMMISSION

Mayor Thompson introduced consideration on CITY OF SUGAR LAND RESOLUTION NO. 13-45, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, APPOINTING A CHARTER COMMISSION.

Following a full and complete discussion, *Council Member Zimmerman*, seconded by *Council Member Mitchell*, made a motion to approve CITY OF SUGAR LAND RESOLUTION NO. 13-45, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, APPOINTING A CHARTER COMMISSION; the following five persons were appointed to serve on the 2013 Charter Commission: Steve Weathered, William Little, Robert Kern, Jennifer Chiang, and Dennis Parmer; and appointing William Little as Chair. The motion carried unanimously.

PUBLIC HEARING

**AMENDMENT NUMBER ONE TO TELFAIR CENTRAL RESERVE C 2.209 ACRES
PLANNED DEVELOPMENT DISTRICT FINAL DEVELOPMENT PLAN**

Mayor Thompson convened the Public Hearing to receive and hear all persons desiring to be heard on Amendment Number One to Telfair Central Reserve C 2.209 acres Planned Development District Final Development Plan, located at the southwest corner of University Boulevard and New Territory Boulevard.

Ms. Ruth Lohmer, Principal Planner, stated the proposed amendment for Telfair Central Reserve C PD was approved through Ordinance No. 1899 on April 2, 2013. The City's museum property is to the south of the property.

PUBLIC HEARING (CONTINUED)

**AMENDMENT NUMBER ONE TO TELFAIR CENTRAL RESERVE C 2.209 ACRES
PLANNED DEVELOPMENT DISTRICT FINAL DEVELOPMENT PLAN (CONTINUED)**

After adoption of the PD, staff realized that the original PD did not fully capture the owner/operator's proposed uses for the site. A Montessori school in the city is typically classified as a day care and was initially indicated, as staff continued discussion with the owner/operator, it was realized that the proposal included other uses comprised of some limited elementary-aged children school programs and tutoring. The amendment will allow for limited elementary school and tutoring on the site.

The original Site Plan limited the building to 17,000 GSF (gross square feet). The developer desires to construct a 27,000 square foot building; the ground floor will still be 17,000 square feet as shown on the original Site Plan; the additional area will be on the second floor of the building.

Staff presented the approved PD Site Plan Option A as included in the original PD and Option B; the proposed revised Site Plan Option A and Option B showed additional parking to the right of the site. The original PD included some conceptual Building Elevations; the applicant has proposed modifications to the elevations to be included in the PD Amendment.

The Planning and Zoning Commission reviewed the amendment on several occasions, first in a workshop on August 13, 2013; questions included parking and height of the building. Concerns were addressed and a Public Hearing was held on September 10; there were no speakers. The Commission requested additional changes; the site should be used entirely as a Day Care or Montessori, or combination of other uses; and include a minimum 1.5 foot roof overhang.

On September 26, the Commission unanimously recommended approval to the Mayor and City Council with one minor clarification on the location of the fence on Option A Site Plan, which has been modified and is included in the Ordinance.

Other requirements for the Public Hearing have been met. No inquiries have been received at this time, and there is no known opposition.

Mayor Thompson entertained comments from the public; hearing none, the Public Hearing was closed.

**ORDINANCE NO. 1936 – AMENDING TELFAIR CENTRAL RESERVE C
FINAL DEVELOPMENT PLAN**

Mayor Thompson introduced **FIRST CONSIDERATION: CITY OF SUGAR LAND ORDINANCE NO. 1936**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, AMENDING TELFAIR CENTRAL RESERVE C FINAL DEVELOPMENT PLAN, LOCATED AT THE SOUTHWEST CORNER OF UNIVERSITY BOULEVARD AND NEW TERRITORY BOULEVARD IN THE TELFAIR DEVELOPMENT; RE-ADOPTING THE FINAL DEVELOPMENT PLAN; AND REPEALING ORDINANCE NO. 1899.

Ms. Ruth Lohmer, Principal Planner, stated there were no further comments.

PUBLIC HEARING (CONTINUED)

**ORDINANCE NO. 1936 – AMENDING TELFAIR CENTRAL RESERVE C
FINAL DEVELOPMENT PLAN (CONTINUED)**

Following a full and complete discussion, *Council Member Jajoo*, seconded by *Council Member Gandhi*, made a motion to pass to second reading **CITY OF SUGAR LAND ORDINANCE NO. 1936**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, AMENDING TELFAIR CENTRAL RESERVE C FINAL DEVELOPMENT PLAN, LOCATED AT THE SOUTHWEST CORNER OF UNIVERSITY BOULEVARD AND NEW TERRITORY BOULEVARD IN THE TELFAIR DEVELOPMENT; RE-ADOPTING THE FINAL DEVELOPMENT PLAN; AND REPEALING ORDINANCE NO. 1899. The motion carried unanimously.

WORKSHOP

**TAX INCREMENT REINVESTMENT ZONE NUMBER THREE AND FOUR
SUPPORT SERVICES AGREEMENTS**

Mayor Thompson introduced discussion on Tax Increment Reinvestment Zone Number Three and Four support services agreements.

Ms. Stacie Henderson, Community Development Administrator, stated the City provides a variety of services to Tax Increment Reinvestment Zone Three and Four. A Support Services Agreement is an agreement between the City and the Reinvestment Zones to provide a formalized agreement whereby the City is reimbursed for services provided.

Services Provided:

Supplies and Facilities

- Office space
- Meeting rooms
- Telephone/communication equipment

General Administrative Services

- Schedule meetings
- Prepare and maintain documents
- Publish/post agendas

Financial Services

- Bill and collect for taxes
- Prepare the budget
- Contracting for annual audit

Legal Services

- In-house or contracted outside legal counsel

WORKSHOP (CONTINUED)

**TAX INCREMENT REINVESTMENT ZONE NUMBER THREE AND FOUR
SUPPORT SERVICES AGREEMENTS (CONTINUED)**

Administration of Contracts/Projects

- Administer contracts
- Executed on behalf of the TIRZ

Miscellaneous Services

- Other services requested by the TIRZ and agreed upon by the City

Support Services Expenditures

Materials, Supplies, and Services

- TIRZ to pay or reimburse the City for actual costs of providing the services, supplies, and materials

City Support Service Fees

- TIRZ to pay or reimburse the City an amount determined annually for services provided by City staff

Administrative Authority

City staff authority to take administrative action on behalf of the TIRZ is the same as that for providing these services to the City.

Term of the Agreement

- Becomes effective on the date approved by both parties
- Continues for consecutive one (1) year terms for the duration of the Zone unless terminated earlier by either party

Next steps are to present the Support Services Agreements to the TIRZ Board of Directors; TIRZ 3 on November 13 and TIRZ 4 on November 14, 2013 with City Council consideration on November 19, 2013.

City Council discussion ensued regarding:

- Will upcoming agreements mimic the agreement with TIRZ 1; Staff stated upcoming agreements will basically use the same principles.
- Whether reimbursement agreements had previously been used with TIRZ; Staff stated affirmative for No. 3 and No. 4, but that available funding had been very minimal; stating that there is current development in the TIRZ, so the tax base is starting to increase.
- Range of dollars in the reimbursement; Staff stated reimbursement would be based on the needs of the TIRZ as it proceeds through the process, billing is annual.
- Whether the process has an adjustment capability; Staff stated adjustments will be done on an annual basis during the budget process; reimbursement is an estimate at the beginning of the year regarding the amount of time spent.

CITY COUNCIL CITY MANAGER REPORTS
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CITY COUNCIL REPORTS

Mayor Thompson introduced Community Events Attended or Scheduled.

Council Member Mitchell reported emceeding the Aga Khan Foundation Partnership Walk and judging the Taste of Town Square.

Council Member Zimmerman reported addressing Rice University MBA Graduate Class regarding what business leaders need to know about local government; attended the Land Use Task Force meeting and the Houston Museum of Natural Science event.

Council Member Gandhi reported joining Judge Robert Hebert as part of the Global Initiative Group and hosted a Chinese delegation with discussion on economic development opportunities in the City.

Council Member Porter reported attending a session sponsored by Fort Bend Chamber of Commerce called Innovation in Education describing HISD program to reconstruct \$2 billion schools designed for the 21st Century, the preferred approach was to use CMAR on the \$2 billion worth of work similar to the Performing Arts Center; attended final Parks Bond information meeting; attended British Festival hosted by the Daughters of the British Empire; and would be attending a presentation at Silverado Senior Center and several Diwali events.

Council Member Jajoo reported attending the Land Use Committee meeting stating the committee is moving into an interesting phase of calling out speakers and having citizens of the City come and provide feedback on various topics from January through March.

CITY MANAGER REPORT

City Manager Bogard reported the City will host a Master Drainage Plan Update Public meeting Wednesday, November 6, in the Cane Room from 6:00 p.m. to 7:30 p.m.; host a Groundwater Reduction Plan meeting on Thursday, November 7, in the Cane Room at 6:00 p.m.; and Thursday, November 14, at 9:00 a.m. in the Council Chamber, City Council will canvass the Bond Election vote; followed by a Local Government Corporation meeting with discussions on the relationship with the City and PCD (Planned Community Developers) on the development of the Town Square project and all of the agreements that were conducted under the Local Government Corporation, stating the developer has a scheduled closing on certain assets in Town Square that requires approval confirming that the developer has met all obligations.

RECESS MEETING

Mayor Thompson recessed the Regular Meeting to go into Closed Executive Session, time 6:34 o'clock P.M.

CLOSED EXECUTIVE SESSION (CONTINUED)

Mayor Thompson introduced Closed Executive Session as authorized by Chapter 551, Texas Government Code, in accordance with:

Personnel Matters: Section 551.074

- c) For the purpose of discussion with respect to City Manager annual performance evaluation. *Mayor James A. Thompson.*

ADJOURN CLOSED EXECUTIVE SESSION

Mayor Thompson adjourned the Closed Executive Session, time 7:30 o'clock P.M.

RECONVENE MEETING

Mayor Thompson reconvened the Regular Meeting, time 7:34 o'clock P.M.

CITY MANAGER

Mayor Thompson introduced consideration on annual Contract and Compensation Package for Mr. Allen Bogard, City Manager, for period October 01, 2013 through September 30, 2014.

Following a full and complete discussion, *Council Member Zimmerman*, seconded by *Council Member Jajoo*, made a motion to approve annual Contract and Compensation Package for Mr. Allen Bogard, City Manager, for period October 01, 2013 through September 30, 2014. The motion carried unanimously.

ADJOURN

There, being no further business to come before Council, *Council Member Mitchell*, seconded by *Council Member Jajoo*, moved that the meeting adjourn. The motion carried unanimously and the meeting adjourned, time at 7:37 o'clock P.M.

Glenda Gundermann, City Secretary

(SEAL)